

Applicant is unable to determine the meaning of the Examiner's statement at page 2 of the Official Action, "In each of claims 1 – 11 ", should be substituted with a "." for clarity". Consequently, no attempt has been made to address this question.

Claims 9 – 11 stand rejected under 35 USC 112, second paragraph, for improper dependency in that they depend on claim 8 which is a method claim and they clearly recite "The laminated sheet product". It is respectfully submitted that the addition of new claim 12 and the amendment of the dependency of claim 9 – 11 corrects this obvious oversight. The basis for new claim 12 can be found at page 11, line 9 through page 12, line 10.

Claims 1-4 stand rejected under 35 USC 102(b) as anticipated by Harnett, U.S. Patent No. 3,309,437. It is the Examiner's position that Harnett teaches a "porous based product" exhibiting an apparent density of 0.93 g/cc and that somehow this reads on Applicant's claimed apparent density of between about 0.1 g/cc and about 0.8g/cc.

Applicant would first point out that Harnett's materials are derived from coke, i.e. a material that has already been heated to about 600° C prior to application in Harnett's process. Thus, the materials of Harnett when placed in his process have already been largely "devolatalized" and are therefore unable to undergo the "foaming" described in the instant application and therefore are incapable of achieving the low density levels described and claimed by Applicant.

Harnett heats a bed of coke particles to a temperature of between about 600 and 1000°C to partially or completely calcine the coke. Under these conditions and with this starting material, no foaming takes place, although some mass loss may occur, the result is an at least partially sintered coke body and although the body may exhibit some degree of porosity, it is clearly not a foam by any conventional definition.


The coal starting materials of the instant invention, typically comprise greater than about 30% volatiles. For example, bituminous coal typically contains volatile levels of about 38-39% while Harnett specifically states at Column 3, lines 69 through 74, “If the volatile matter content of the particles is above 25%, then the mass tends to melt or flow or boil when heated pursuant to desired baking schedules, making them impractical for normal production methods.” Thus clearly the starting materials of Harnett are different than those of the instant application, as are the products of the two processes.

Additionally, Applicant is unable to understand the Examiner’s allegation that claimed apparent density of between about 0.1g/cc and 0.8 g/cc is anticipated by Harnett’s disclosure of a material having an apparent density of 0.93 g/cc “because about 0.8 g/cc reads on 0.93 g/cc”. Surely no one skilled in the art would equate apparent densities of “about 0.8 g/cc” and “0.93 g/cc” and any rejection based on such an allegation is clearly improper and should be withdrawn.

Claims 5-8 stand rejected under 35 USC 103(a) as obvious over the combination of Harnett with Koppelman, U.S. Patent No. 4,127,391. Applicant having discussed the inapplicability of and the error in the rejection of claims 1-4 over Harnett hereby reiterates that the same arguments apply equally to this rejection. Harnett starts with a coke material, and does not achieve foaming. Koppelman adds nothing to the disclosure of Harnett since Koppelman make no attempt to produce a controlled foam, changes the chemical composition of the coal in the autoclave process and indicates that the finished product is a solid fuel and not a foam as described and claimed by Applicant in the instant application.

In view of the foregoing amendments to the specification and claims and the arguments presented hereinabove, it is respectfully submitted that the claims as now submitted stand in condition for allowance, and the same is respectfully requested.

Respectfully Submitted,

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